



## COURT DEFIED.

A Jury Ignores the Distinct Com-  
mand of a Judge.

Refusing to Bring in a Verdict in  
Accordance With His Instructions.

A Juror Committed to the Marshal in  
Contempt of Court—One of the most

Remarkable Cases in Legal An-

als Occurs in a Chicago Court.

CHICAGO, Jan. 17.—A jury in the  
United States court created a sensation

Wednesday by refusing to bring in a

command of Judge Seaman, and refus-

ing to bring in a verdict in accordance

with the court's instructions. The

case at issue was the \$3,000 damage

suit of Marie Cahill, a young girl who

was run over and crippled on November

15, 1894, by the engine of the Chicago

and Milwaukee St. Paul railroad on

the leased tracks of the stock yards

company.

In bringing the jury Judge Seaman

told them that the evidence showed

that no responsibility attached to the

defendant; that it was the lessees of

the tracks of the stock yards company

upon which company involved the re-

sponsibility of providing a proper

crossing at the place where the acci-

dent occurred, and I instructed them

to return a verdict for the defendant.

One after another the jurors arose

and said:

"Your honor, I can not render such a

verdict."

Judge Seaman's face flushed. He

glared at the rebellious jurors for a mo-

ment, and then told them to go into

the jury room and agree upon a ver-

dict. As the jury went into the jury

room, Lawyer Prendergast, for the

plaintiff, arose and said:

"This is the most remarkable pro-

ceeding I have ever witnessed. I de-

sire to take exception to the charge of

the court to the jury. The court has

no right to command the jury to

render a verdict for the defendant. The

jury is the sole authority in this

matter."

The members of the jury are all

from outside of Chicago.

At 2 o'clock the jury returned and

the judge addressed the jurors in re-

lation to his instructions when the case

was given to them, explaining that the

case had become a matter between the

court and the jury, and his instruc-

tions as a matter of law.

The judge's talk was vigorously ob-

jected to by Prendergast, who urged

allowing the exceptions. Finally Judge

Seaman announced that the jurors

would be called one at a time to give

their verdict. All the jurors arose and

announced their previous finding for

the plaintiff, but consented to find for

the defendant under protest.

Mr. Clayton, the one juror who re-

fused to find for the defendant, was

committed to the marshal in contempt

of court. After his removal he again

returned, but Juror Clayton refused to

find for the defendant, and that with

all due respect for the court, he could

not return a verdict for the defendant.

Mr. Prendergast then endeavored to

induce the court to dismiss his case, or

to issue the jury, such action to be con-

sidered as a violation of the court's

order. The court refused to do so, and

returned in response to the court's or-

der, with the stipulation that the ob-

ject of the objection was overruled,

and further hearing postponed

until Thursday. Mr. Prendergast

gave notice that the plaintiff appealed

the case.

Twenty Horses Suffered.

INDIANAPOLIS, Ind., Jan. 17.—The

livery stable of John Seader, on West

Ohio street, caught fire Wednesday

night and resulted in the destruction

of about twenty horses. The origin of

the fire is unknown. The situation

was so threatening to the business

quarter and to the large German

Methodist church near by that a sec-

ond fire broke out in the engine house

adjacent to the livery.

Servants Have Rights.

PORTLAND, Ind., Jan. 17.—Mrs.

E. Williams has brought suit in the

Weir court against Lewis Gephart

for slander and asks \$100.00

damages. The plaintiff was a domestic

in Gephart's home, and during her

sojourn claims to have been treated

sums of money. The case began

Wednesday with ten attorneys and

fifty witnesses in attendance.

Shot His Son Dead.

WAYCROSS, Ga., Jan. 17.—P. C. Johns

shot his son Frank through the heart,

killing him instantly. Johns had sent

his daughter away, and his son pleaded

with him to bring her back. When

Johns refused his son fired at him with

a shotgun, breaking his leg. The father

then shot his son dead.

His Son His Brother.

NASHVILLE, Tenn., Jan. 17.—D. N.

Williamson shot and killed his brother,

William, near Fayetteville Wednesday.

The brothers have been on bad terms

for some time, and William Williamson

returned from Alabama a few days ago

and was accused of intending to kill his

brother.

A Severe Storm.

MOBILE, Ala., Jan. 17.—A severe rain

storm struck this city, which seemed

to center near points on the Gulf

coast, where it developed into a tor-

nado. Much hail fell, and there was a

waterproof storm in the bay. Fifty

feet of the water at Battelle was blown

away.

Grip in New York Growing Worse.

NEW YORK, Jan. 17.—The grip re-

ported thirty deaths from grip for

the twenty-four hours ending at 10

o'clock Wednesday. The disease is

steadily increasing in fatality.

Flu in China.

PORTSMOUTH, Eng. Jan. 17.—Letters

received here from China say that the

plague has not yet died out at Amoy.

The average number of deaths is seventy

per day.

## SENATOR HILL'S PLAN

Knocked on the Head, But He Secure an

Important Amendment.

WASHINGTON, Jan. 17.—After a de-

bate covering a week, the Senate Wed-

nesday voted down Mr. Hill's propo-

sition to refer the legality of the income

tax to the courts, only five senators

joining with Mr. Hill in supporting

the proposition. But the vote was not

taken until late in the day, and up to

that time there was a spirited debate

about the Hill proposition had called

on Mr. Vest was the principal

speaker of the day, and in view of his

service on the tariff conference com-

mittee, there was great interest mani-

fested in some of the committee secrets

which he felt justified in disclos-

ing. In the course of his

speech Mr. Vest called attention

to the gravity of the tariff





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1. *Journal of the American Medical Association*. 2000;283:2686-2692.

# BEE HIVE.

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